

## REMARKS

Favorable reconsideration of this application is respectfully requested in view of the previous amendments and the following remarks.

The amendments to the specification address the issue raised in paragraph "3" of the Official Action and add no new matter. Withdrawal of the objection to the specification is therefore respectfully requested.

The amendments to the claims address the issues raised in paragraphs "2" and "4" of the Official Action. Withdrawal of the objections to the drawings and claims is therefore respectfully requested.

Claim 1 is rejected as being anticipated by Japanese Application Publication No. 2001-165390, hereinafter the Japanese Publication. That rejection is traversed.

Lines 9-11 of page ten of the translated Japanese Publication discuss two layers stacked one over the other. While the Official Action characterizes those two layers as the recited first and second layers, those two layers are not a first layer and a second layer of a porous membrane as recited in Claim 1. Instead, those two layers are two distinct porous membranes stacked together. Accordingly, the Japanese Publication does not disclose a test paper including a porous membrane having a first layer having a surface to which a sample is supplied and a second layer having a surface at which the sample is percolated and measured, in combination with the other elements recited in Claim 1.

Moreover, the amendments to Claim 1 further define originally claimed aspects of the test paper here that even more distinctly highlight differences associated with the recited test paper. For example, Claim 1 is amended to recite

that the second layer has a surface glossiness according to JIS Z8741 not higher than 11.

Lines 6-9 of page nine of the Official Action state that "one of ordinary skill in the art at the time the invention was made would have optimized, by routine experimentation, the membrane in the apparatus of [the Japanese publication] to obtain the desired surface glossiness...". However, as discussed in the paragraph bridging pages 37 and 38 of the specification, the recited glossiness is achieved by a surface roughness treatment such as sand blasting a PET film to provide irregularities. By contrast, in the Japanese Publication, any irregularities are formed by the porosity of the surface itself.

Applicants respectfully submit that the Official Action presents no evidence relating to the possibility of a PET film having a glossiness as recited, while also having surface irregularities formed only by the porosity of the surface. For the Examiner's convenience, the attached sheet illustrates scanning electron microscope images of the surface of a PET film having surface irregularities formed by the porosity of the surface, as compared to the surface of a PET film having surface irregularities formed by blasting treatment of the surface.

For the above reasons, Claim 1 is allowable over the Japanese Publication. Withdrawal of the rejection of Claim 1 is therefore respectfully requested.

Claim 6, the other independent claim, is also rejected as being anticipated by the Japanese Publication. Applicants respectfully submit that Claim 6 is allowable over the Japanese Publication for reasons consistent with the above discussion of Claim 1. Withdrawal of the rejection of Claim 6 is therefore also respectfully requested.

The dependent claims are allowable at least by virtue of their dependence from allowable independent claims. Thus, a detailed discussion of the additional distinguishing features recited in the dependent claims is not set forth at this time.

Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: March 2, 2009

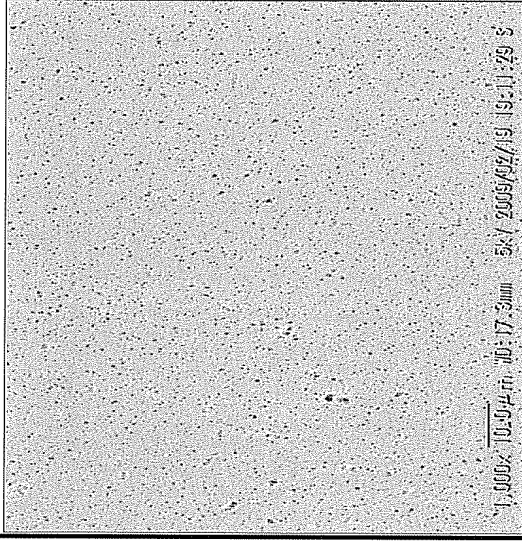
By: /Peter T. deVore/  
Matthew L. Schneider  
Registration No. 32814

Peter T. deVore  
Registration No. 60361

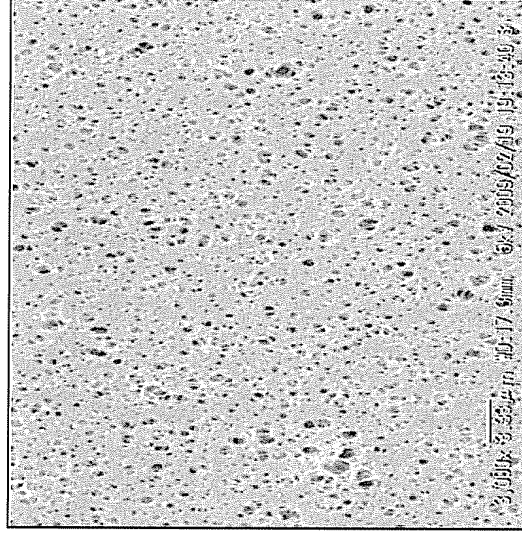
P.O. Box 1404  
Alexandria, VA 22313-1404  
703 836 6620

The irregularities are formed by porosity of the surface of PET film.

( $\times 1000$ )

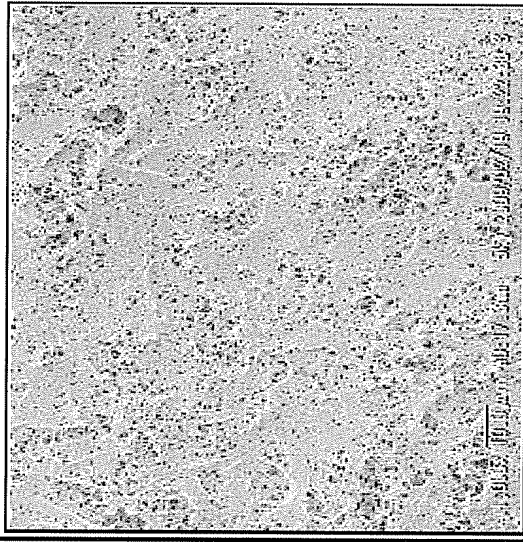


( $\times 3000$ )



The irregularities formed by the blasting treatment of PET film.

( $\times 1000$ )



( $\times 3000$ )

